

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

JOHNNY LEE SELF,

Petitioner,

v.

WARDEN WILLIAM STEETER,

Respondent.

Case No. 5:23-cv-642-AMM-JHE

MEMORANDUM OPINION

Plaintiff Johnny Lee Self filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Doc. 1. On December 8, 2023, the magistrate judge entered a report recommending the court grant the respondent's motion for summary dismissal and dismiss the petition with prejudice as untimely. Doc. 13. No objections have been filed.

After careful consideration of the record in this case and the magistrate judge's report, the court **ADOPTS** the report and **ACCEPTS** the recommendation. Consistent with that recommendation, the court finds that the respondent's motion for summary dismissal is due to be granted and the petition is due to be dismissed with prejudice as untimely.

This court may issue a certificate of appealability "only if the applicant has made a substantial showing of the denial of a constitutional right." 28 U.S.C. §

2253(c)(2). To make such a showing, a “petitioner must demonstrate that reasonable jurists would find the district court’s assessment of the constitutional claims debatable or wrong,” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000), or that “the issues presented were adequate to deserve encouragement to proceed further.” *Miller-El v. Cockrell*, 537 U.S. 322, 336 (2003) (cleaned up). The court finds Mr. Self’s claims do not satisfy either standard.

A Final Judgment will be entered.

DONE and **ORDERED** this 8th day of January, 2024.

A handwritten signature in dark ink, appearing to read 'A. Manasco', written over a horizontal line.

ANNA M. MANASCO
UNITED STATES DISTRICT JUDGE